

FARMINGTON CITY PLANNING COMMISSION MEETING

Thursday, January 13, 2011

STUDY SESSION

***Present:** Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, Michael Wagstaff, Brett Anderson Community Development Director David Petersen, and Recording Secretary Cynthia DeCoursey.*

Chairman **Randy Hillier** began the work session at 6:35 p.m., and the following items were discussed:

(Item #1) – Approval of Minutes

There were no amendments to the minutes of the December 9, 2010 Commission Meeting.

(Item #3) – Humphreys Subdivision (Public Hearing)

Property owners Farrell and Ilean Humphreys and Agent Lenny G. Goodwin are requesting approval of a two-lot metes and bounds subdivision (lot split) consisting of 0.654 acres located at 1313 West 1800 North in an R zone (S-11-10).

David Petersen gave a brief history of this property and referred to a map of the site. The property is triangular in shape with one of the longer boundaries of the property fronting 1800 North Street, and three pipelines bisect the property from north to south. The existing home is located on the westerly lot, and the subdivision plans show one building layout possibility for the easterly lot. The lots are located within an R zone area with a minimum lot requirement of 16,000 square feet. The Commission discussed pertinent issues related to this request.

Alternate Commission Member **Brett Anderson** arrived at the work session at 6:50 p.m.

(Item #4) - Miscellaneous

- **West Davis Corridor**

Mr. Petersen gave an update regarding the West Davis Corridor and said UDOT requested that Farmington City draft a Resolution stating their preferred alignment. The Resolution states that C-1 is the best alternative for the City, and it was approved by the Council at their January 4, 2011 meeting. The Council believes that the C-1 alternative is the least expensive option and has the least amount of impact to the environment and to Farmington City.

Mr. Petersen said additional miscellaneous items would be presented during the regular session.

REGULAR SESSION

***Present:** Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Nelsen Michaelson, Michael Nilson, and Michael Wagstaff, Community Development Director David Petersen, and Recording Secretary Cynthia DeCoursey. Alternate Commission Member Brett Anderson did not attend.*

Approval of Minutes – (Item #1)

Jim Young made a motion to approve the minutes of the December 9, 2010 Planning Commission Meeting. The motion was seconded by **Rick Draper** and approved by Commission Members **Andersen, Draper, Michaelson, Nilson, Wagstaff** and **Young**.

City Council Report – (Item #2)

David Petersen reported on the following City Council meetings:

December 14, 2010

- The Council reviewed a petition from **Nadine Simon** regarding emergency access into the Farmington Preserve area.
- The Final Plat for Station Park was approved.
- A Code Enforcement Survey will be included in the City's February newsletter.

December 21, 2010

- This was a Special City Council Meeting, and the Council approved the purchase of real estate from E & H Land LTD which will be necessary for the straightening of Park Lane.

January 4, 2011

- The Council approved a Resolution stating the City's preferred alignment alternative (C-1) for the West Davis Corridor.

(Item #3) – Humphreys Subdivision (Public Hearing)

Property owners Farrell and Ilean Humphreys and Agent Lenny G. Goodwin are requesting approval of a two-lot metes and bounds subdivision (lot split) consisting of 0.654 acres located at 1313 West 1800 North in an R zone (S-11-10).

Background Information

David Petersen said the minimum lot size in the R zone is 16,000 square feet. The proposed Lot #1 is 12,747 square feet, and Lot #2 is 15,745 square feet. The applicant may receive a waiver from the City Council in order to obtain the smaller lot sizes. Section 11-12-065 of the Zoning Ordinance states: "Any waiver of the required minimum conservation land dedication shall require comparable

compensation such as off-site improvements, amenities, or other consideration of comparable size, quality and/or value.” **Mr. Petersen** said his recommendation is that there is no need for just compensation because of the existing pipelines.

Lenny Goodwin, 13563 Clovis Court, Riverton, is the agent for the Trust which owns the home and the property. The owners submitted the application because the pipelines which bisect the property will not allow proper use of the property. They feel that the proposal is a good use for the property and that it will enhance the beauty of the community.

Public Hearing

Chairman Hillier opened the public hearing at 7:16 p.m.

Bill Fennimore, 1292 West Sweetwater Lane, said his home is located south of the **Humphreys’** home, and he expressed opposition to the variance request and gave a brief history of the property. He said there was an attempt to sell the eastern lot several years ago, but the Planning Commission decided it was not feasible because of the right-of-way issues with the pipelines. The possibility of tying an old farm lane into the City’s trail system was also considered. He suggested selling the lot as an empty lot (garden area) to accompany the existing home because he feels that with the setbacks and easements, the remaining area is not sufficient for an additional home.

The public hearing was closed at 7:20 p.m., and **Chairman Hillier** requested comments and discussion from the Commission.

The Commission discussed concerns regarding the existing pipelines, a possible trail on the south end of the property, the configuration of the lot and whether there would be sufficient setbacks, the denial by a previous Planning Commission, installation of a sidewalk, open space requirements, and possibilities for just compensation.

Motion

Michael Wagstaff made a motion to recommend to the City Council approval of a two-lot metes and bounds subdivision (lot split) consisting of 0.654 acres located at 1313 West 1800 North in an R zone subject to all applicable Farmington City development standards and ordinances and the following:

1. The City Council must consider and grant a waiver of conservation subdivision requirements as per Section 11-12-065 of the Zoning Ordinance to allow lot sizes less than 16,000 square feet.
2. The applicant must enter into an extension agreement with the City to provide a sidewalk in the future running the full length of 1800 North Street frontage for both lots.
3. Any reference to a building layout must be removed from the subdivision plans.
4. The City Planning staff will meet with Davis County officials to verify the easements or vacation of the easements on the south end of the property or lack of easements on the (vacation).

5. Applicant will work with staff regarding just compensation with a possibility of planting trees and/or creating a landscape buffer between the **Fennimore** and the **Francis** properties.

The motion was seconded by **Steve Andersen** and approved by Commission Members **Andersen, Draper, Michaelson, Nilson, Wagstaff** and **Young**.

Findings for Approval

1. It is the intent of the conservation subdivision ordinance that the City Council should consider waivers for small infill subdivisions, as is proposed by the applicant, unless there is a counter-vailing public argument to the contrary. The Planning Commission recommendation regarding “comparable compensation, off-site improvements, amenities or other consideration of comparable size, quality and/or value” required for a waiver: The site is encumbered by pipelines and related easements. This should be “consideration” enough for this particular small infill parcel only, because like a conservation easement, all building permit activity is prohibited in the pipeline area; hence, it will remain as open space. The likelihood that this “open space” will no longer exist (meaning the respective companies will move their pipelines and/or abandon their easements) is extremely remote.
2. The minimum open space requirements for conservation subdivisions in the R zone is 10% of the total project area or just 2,849 square feet of the **Humphrey’s** subdivision. This small amount of open space has little or no public utility, and a waiver should be granted.
3. Street and other related improvements are required by ordinance for any subdivision in the City. The south side of 1800 North Street is improved—except for sidewalk. Because no sidewalk exists east or west of the site, the property owners will enter into an extension agreement which states that they will participate in the cost of the future construction of the sidewalk.
4. Approval of the **Humphrey’s** subdivision does not imply or in any way grant approval for the building layout or site plan shown on the plans. The building layout or site plan should be removed from the plans. If a building permit is applied for, the property owner (or any future property owner) is still subject to the regulations and standards of the Farmington City building permit process, including site plan approval, just as any other property owner. (Note: detailed improvement drawings and grading and drainage plans are not usually required for metes and bounds subdivisions but may be required as part of a building permit application). It is likely that the location of the existing pipelines will dictate that a future building permit applicant may need a variance.
5. Both lots meet the minimum area and dimension standards as set forth in the R zone.

Miscellaneous (Agenda Item #4)

Mr. Petersen referred to the following miscellaneous items:

- **Training Session**

Mr. Petersen invited the Commission to attend a training session which will be held on Tuesday, February 15, 2011 from 4:00 to 5:30 p.m. Representatives from URMMA (Utah Risk Management Mutual Association) will provide the training.

- **West Davis Corridor Resolution**

Mr. Petersen referred to an email received from UDOT concerning a West Davis Corridor open house which will be held at the Legacy Events Center on Wednesday, February 9, 2011 from 4:30 to 8:00 p.m. He encouraged Commission Members to attend. He reported that a resident in west Farmington designed an alternative which caused UDOT to reconsider the option, and now it is the recommended alternative for Farmington City.

- **Inventory of I-15 Guide Signs approaching Farmington**

The City Manager received a memorandum from **Tim Taylor**, the City's Traffic Engineer, regarding the possibility of changing I-15 signs related to Farmington City. His recommendation is that the City meets with UDOT and the Federal Highway Administration (FHWA) to discuss the City's concerns and work with them to develop and implement improvements. The specific items which should be addressed are listed in the memo.

- **Salt Lake Tribune article regarding Civility**
- **Deseret News article regarding Urban Forests**
- **Update on the hiring of a new City Planner**

Mr. Petersen said there were 58 applicants for the City Planner job opening, and interviews were held with the top 10 candidates. The number was narrowed to three remaining candidates who will be interviewed again next week.

- **Alternate Planning Commission Member**

Mr. Petersen said the new alternate Planning Commission member will be **Kris Kaufman**. He lives in north Farmington and was unable to attend tonight's meeting. He has been serving on the Board of Adjustments.

- **Review of "comparable compensation" portion of Section 11 of the Zoning Ordinance**

Motion

Nelsen Michaelson made a motion to direct City staff to draft appropriate language for the "comparable compensation" portion of Section 11 of the Zoning Ordinance. The motion was seconded by **Steve Andersen** and approved by Commission Members **Andersen, Draper, Michaelson, Nilson, Wagstaff** and **Young**.

Adjournment

Motion

Jim Young made a motion to adjourn the meeting which was seconded by **Michael Nilson** and approved by Commission Members **Andersen, Draper, Michaelson, Nilson, Wagstaff** and **Young**. The meeting ended at 7:50 p.m.

Randy Hillier, Chairman